

### **REMARKS**

Claims 2-47, 49, 50, 53 and 56-73 are present in the application.

Applicants' attorneys wish to thank the Examiner for conducting a telephone interview on June 13, 2001, during which the Examiner explained the Advisory Office Action dated June 5, 2001. It is applicants' attorney's understanding that the amendments to claim 73, if submitted separately, would be entered for purposes of the Appeal, since the amendments did not raise any new issues and would remove the rejection under 35 USC 112, second paragraph.

In the **Final Rejection**, the restriction requirement was made final with regard to the election of species in Group I and, therefore, the Examiner withdrew examination of claims 2-47, 49, 50, 52, 53 and 56-71; claims 72 and 73 were rejected under 35 USC 112, second paragraph; and claims 72 and 73 were rejected under 35 USC 103 as being unpatentable over the admitted prior art in view of Finzel.

By this amendment, claim 73 has been further amended to overcome the rejection under 35 USC 112, second paragraph.

Since the amendments to claim 73 remove the rejection under 35 USC 112, second paragraph, and do not involve any new issues and since it merely provides antecedent basis for terminology used in claims 73 and 72 and reduces the issues in the Appeal, it is requested that this amendment be entered for purposes of placing the application in better form for the Appeal.

Claim 52-54 and 69-71, which are directed to the method of Groups II, III and IV are being retained in the application pending a decision concerning a divisional application.

Claims 4-14, 16-24, 29, 30, 32-35, 37 and 56-68 are all dependent upon claim 72 or a claim which, in turn, is dependent upon claim 72. These claims are being retained, since it is believed that with the allowance of claim 72, these claims would also be allowable.

With regard to the Examiner's refusal to examine claims 4-14, etc., it is submitted that since these claims are dependent upon the elected species of claim 72, as pointed out hereinabove, they should be examined therewith and that if claim 72 is found allowable, these claims are allowable. It is also submitted that the other claims mentioned hereinabove would be allowable with generic claim 73. It is also submitted that the Examiner's reason of an undue burden is in error because these dependent claims are allowable if the parent claim is allowable.

In rejecting claims 72 and 73 on applicants' own admitted prior art in view of Finzel (GB 2277812), it is submitted that the discussion of what claim 1, which is no longer present, has in the preamble is moot. It is also submitted that the preamble of claim 1 merely teaches what was already recognized by the British Reference to Finzel.

It is submitted that claim 73 and, therefore, the claims dependent thereon, are allowable, since no reference has been cited which teaches or suggests that optical fiber cables being selected from optical waveguide minicables and optical waveguide microcables having a pipe and waveguide selected from optical waveguides, optical waveguide strips and optical waveguide bundles loosely introduced into the pipe, said cables being received in the cable inlet units with the pipe of each spigot engaging the pipe of the optical fiber cables disposed therein and having a sealing connection of the pipe of the spigot to the pipe of the cable for sealing off the pipe of each cable. It is submitted that while the reference teaches the portion or pipe 25, the pipes 25 are cable inlet pipes which are inserted into and retained in the cable inlet nozzles and are not portions of the cables per se. Thus, there is no teaching or suggestion of the cables with a structure as recited in claim 73. Therefore, it is believed that the Examiner has not established a *prima facie* case of obviousness because substantial modifications, such as providing cables including a pipe receiving the waveguides selected from optical waveguides, waveguide strips and optical waveguide bundles loosely introduced into the pipe, is required. Thus, it is submitted that claim 73 is clearly unobvious to a person of ordinary skill in the art in view of the teachings of the UK (British) Patent, even with applicants' admitted prior art, which is only what is taught by the British Reference.

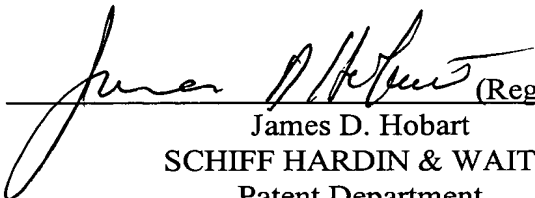
Furthermore, it is submitted that the reference does not teach or suggest the particular manner of sealing, as recited in claim 72, since the cable 7 is only retained in the inlet pipe 25 by a wide mesh fabric 26. Thus, there is no teaching or suggestion of a connection selected from a group consisting of weld connections, solder connections and adhesive bond connections between the pipe of the optical-fibre cable and the cable lead-in unit. Therefore, it is submitted that claim 72 is clearly patentable over the teachings of the prior art and that the rejection of claims 72 and 73 is in error and should be withdrawn.

It is also submitted that, in view of the allowability of claims 72 and 73, claims 2-24, 29, 30, 32-39, and 56-68 are also allowable.

It is respectfully submitted that claims 25-28, 31, 40-42 and 44-47 are allowable, since they also recite applicants' cable comprising a pipe receiving the waveguides. For these reasons, it is respectfully submitted that claims 2-42, 44-47, 50 and 56-68 are allowable.

In view of the amendments and explanations contained hereinabove, it is respectfully submitted that this application is now in condition for immediate formal allowance and further reconsideration to that end is earnestly solicited.

Respectfully submitted,

 (Reg. No. 24,149)  
James D. Hobart

SCHIFF HARDIN & WAITE  
Patent Department  
6600 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606  
Telephone: (312) 258-5781  
Customer Number 26574

DATED: June 14, 2001

## **A P P E N D I X**

Version with markings to show changes made.

### **IN THE CLAIMS:**

--73. (Amended) Optical-fibre transmission system comprising a cable closure with a cable body for receiving [optical] optical-fibre cables having waveguides [with], splice organizers for the waveguides, and having excess-length depositories for the excess length of each [optical] waveguide, said closure body having cable lead-in units in the form of cable lead-in spigots being arranged to extend into the cable closure perpendicularly with respect to an axis of the closure body, the excess length of each optical waveguide and splice organizers being arranged within the closure body removably in an axial direction of the closure body, at least one end face of the closure body being closed off in a sealing manner by an externally accessible cover, each of the lead-in spigots being a pipe tightly fitted on the closure body, each of the [optical cable] optical-fibre cables being selected from an optical waveguide minicable [or] and an optical waveguide microcable, respectively having a pipe and waveguides selected from optical waveguides, waveguide strips and optical waveguide bundles loosely introduced into the pipe, said cables being received in the cable lead-in units with the pipe of each spigot engaging the pipe of the optical-fibre cable disposed therein and having a sealing connection of the pipe of the spigot to the pipe of the cable for sealing off the pipe of each cable.--